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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

MERRILL LYNCH INTERNATIONAL,

Defendant.

Adv. Pro. No. 10-05346 (CGM)

**NOTICE OF WITHDRAWAL OF MERRILL LYNCH INTERNATIONAL'S MOTION
TO DISMISS COMPLAINT, SUPPORTING MEMORANDUM, AND NOTICE OF
HEARING**

Merrill Lynch International (“MLI”), by and through its undersigned counsel, hereby gives notice of withdrawal of its *Notice of Motion to Dismiss* [ECF No. 128], *Memorandum of Law in Support of Merrill Lynch International’s Motion to Dismiss* [ECF No. 129], and *Notice of Hearing on Motion to Dismiss* [ECF No. 132] (collectively, the “**Motion to Dismiss Pleadings**”).

On July 15, 2022, the Court issued an order (the “**Stipulation and Order**”), approving a stipulation between MLI and the plaintiff, Irving H. Picard (the “**Trustee**”), trustee for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–lll (“SIPA”), and the chapter 7 estate of Bernard L. Madoff. The Stipulation and Order directs that the Trustee will file an amended complaint by August 19, 2022, which will supersede the Trustee’s initial complaint of December 8, 2010 (the “**Initial Complaint**”). Therefore, the Stipulation and Order effectively moots the Motion to Dismiss Pleadings, which respond to the Initial Complaint. MLI will respond to the amended complaint in accordance with the Stipulation and Order.

Dated: August 16, 2022
New York, New York

By: /s/ Pamela A. Miller
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